

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:06CR3051
)	
v.)	
)	
MICHAEL LEE CERVANTES,)	ORDER
)	
Defendant.)	
)	

The parties' have jointly and orally moved for a continuance of the defendant's plea hearing. The defendant will be sentenced in state court on July 13, 2006, and it is currently anticipated that following the state sentencing, the United States Attorney will dismiss the charges pending in this forum. The parties therefore request that the plea hearing be continued from June 28, 2006 to a date after July 13, 2006. Based on the parties' showing, I find the requested continuance should be granted.

IT THEREFORE HEREBY IS ORDERED: The defendant's plea hearing is continued to July 21, 2006, at 2:30 p.m. The defendant is ordered to appear at said time. This Court further finds that, based upon the parties' showing as discussed herein, the ends of justice will be served by continuing defendant's plea hearing. Further, that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, said continuance shall be excludable time pursuant to 18 U.S.C. §3161(h)(8)(A).

DATED this 20th day of June, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge